

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	CONSENT ORDER OF
)	
Certificate of Marc L. Boese)	RETROACTIVE SUSPENSION
)	
Certificate # 189230)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on April 14, 2004. On July 23, 2003, the State Department of Education (Department) sent a notice of his right to a hearing concerning the possible suspension or revocation of his South Carolina educator certificate # 189230 (certificate) to Mr. Marc L. Boese by certified mail, return receipt requested, delivery restricted to addressee. Mr. Boese received the notice, as evidenced by the signed postal receipt bearing his signature. Mr. Boese initially requested a hearing, which was scheduled for July 15, 2004, before John J. Fantry, Jr., Esquire, a hearing officer appointed by the State Board. Mr. Boese subsequently agreed through his attorney, Dona L. Guffey, Esquire, to resolve the case without a hearing by accepting a retroactive suspension of his certificate from February 28, 2003, through July 31, 2003. This suspension will be reported to the NASDTEC Clearinghouse and all South Carolina school districts with the grounds listed as "unprofessional conduct." After considering the evidence presented, the State Board voted to accept the voluntary retroactive suspension of Mr. Boese's certificate from February 28, 2003, through July 31, 2003, upon the terms set forth above.

Marc L.
Boese
#189230

Initials

Date

FINDINGS OF FACT

Mr. Boese is a certified educator with over eight years of teaching experience credit. Mr. Boese was employed for the 2002-2003 school year with the Beaufort County School District (District) as a teacher at Battery Creek High School. He was placed on administrative leave on February 28, 2003, and subsequently resigned on June 2, 2003. Mr. Boese served as a chaperone for a group of Battery Creek High School students for a school-sponsored field trip to

Myrtle Beach during the week of February 17, 2003. While on the field trip, Mr. Boese went with a group of students to a beach shop. One student, who was not yet eighteen years old, asked Mr. Boese to sign a permission slip for a belly piercing. Mr. Boese signed the permission slip with his name and indicated he was her “step dad.” Mr. Boese stated that he has known this student for three years and has a good relationship with her and her parents and has tutored her. Mr. Boese believed the student when she claimed she had her parents’s permission. This was not the case. When she returned home her parents were very upset and reported the matter to school officials. Mr. Boese acknowledged and apologized for this lapse in judgment. Mr. Boese is now teaching in a public school in Georgia and his current employer was aware of the situation before he was employed.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes: “Unprofessional conduct.” S.C. Code Ann. § 59-25-160 (1990). The State Board finds that the preponderance of the evidence presented supports its decision to accept the voluntary retroactive suspension of Mr. Boese’s certificate # 189230, from February 28, 2003, through July 31, 2003.

South Carolina State Board of Education

By: /S/ Mary E. Jones
Dr. Mary E. Jones
Chair

Columbia, South Carolina
April 14, 2004

I, Marc L. Boese, SC Teaching Certificate # 189230, do hereby agree to the proposed Consent Order of Suspension, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, April 14, 2004, for approval.

/S/ Marc L. Boese 4/04/04
Marc L. Boese Date